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GREENE, TWEED & CO., INC.

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

BOYCE A. STRINGER and NANCY C.
STRINGER,

Plaintiffs,

v.

AMERICAN BILTRITE, INC., et al.

Defendants

Case No.: 2:23-cv-09813-SVW-E

**NOTICE OF DEFENDANT GREENE,
TWEED & CO., INC.'S MOTION FOR
RELIEF PURSUANT TO FRCP § 60(b)
AND FOR TRANSFER TO THE
NORTHERN DISTRICT OF
CALIFORNIA PURSUANT TO 28 USC
§ 1406(a)**

Filed Concurrently with:

1. Memorandum of Points and Authorities
2. Declaration of Shannon R. Jackson
3. Declaration of Charles W. Jenkins

Date: January 8, 2024

Time: 1:30 p.m.

Courtroom: 10A

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on January 8, 2024, at 1:30 p.m., or as soon
 3 thereafter as this matter may be heard in Courtroom 10A of the United States District
 4 Court, Central District, located at 350 West First Street, Los Angeles, Defendant,
 5 GREENE, TWEED & CO., INC. (“Greene, Tweed”) will and hereby does move the court
 6 for an order of relief pursuant to Federal Rules of Civil Procedure, Rule 60(b) due to the
 7 mistake and excusable neglect of the misfiling of Greene, Tweed’s Notice of Removal.
 8 Greene, Tweed further requests the court’s order transferring this case to the United States
 9 District Court for the Northern District of California pursuant to 28 USCA § 1406(a).

10 This motion is based on this Notice of Motion; the Memorandum of Points and
 11 Authorities, the Declaration of Charles W. Jenkins, the Declaration of Shannon Jackson,
 12 and the pleadings, records, and other documents on file in this action; and such other and
 13 further evidence and argument as may be presented at the hearing of the motion.

14
 15 Respectfully submitted,

16 Dated: November 22, 2023

MANNING GROSS+MASSENBURG LLP

17
 18 By: /s/ Charles W. Jenkins

19 Christopher Massenburg

20 Lindsay Weiss

21 Charles W. Jenkins

22 Attorneys for Defendant,

GREENE, TWEED & CO., INC.

CERTIFICATE OF SERVICE

United States District Court, Central District Case No.: 2:23-cv-09813-SVW-E

I, the undersigned, declare and state:

That I am employed in the County of San Francisco, State of California. I am over the age of eighteen (18) and not a party to the within action; my business address is 101 Montgomery Street, Suite 2850, San Francisco, CA 94104.

On the date set forth below, I served the following document described as:

NOTICE OF DEFENDANT GREENE, TWEED & CO., INC.'S MOTION FOR RELIEF PURSUANT TO FRCP § 60(b) AND FOR TRANSFER TO THE NORTHERN DISTRICT OF CALIFORNIA PURSUANT TO 28 USC § 1406(a)

on all interested parties in this action as indicated below:

☒ **BY ELECTRONIC COURT FILING (ECF):** I caused the above-entitled document(s) to be served electronically through the United States District Court, Central ECF website, addressed to all parties appearing in the Court's ECF service list. A copy of the filing receipt will be maintained with the original document in our office.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on November 22, 2023, in San Francisco, California.

/s/ Jen Merrill
Jen Merrill